



COMMONS REGISTRATION ACT 1965

Reference No. 206/D/1045-1046

In the Matter of Parts of Inches Downs and Retire Common,
Roche Lanivet & Withiel, North Cornwall D

DECISION

This dispute relates to the registrations at Entry No 1 in the Land Section and Entries Nos 1 to 4 in the Rights Section of Register Unit No.CL.369 in the Register of Common Land maintained by the Cornwall County Council and is occasioned by Objection No. X31A made by Cornwall County Council and noted in the Register on 8 January 1973, & Objections Nos X1451 and X1452 made by Mr J C Kent and noted in the Register on 24 October 1972.

I held a hearing for the purpose of inquiring into the dispute at Bodmin on 20 May 1983. The hearing was attended by Mr Gill, representing the County Council and not by any other person.

The registration in the Land Section was made by the County Council pursuant to an application to register rights. In 1972 the rights holders accepted Mr Kent's Objections, but it is not clear whether they have been formally given effect to. The County Council is withdrawing its objection. In the circumstances the appropriate course is I think to confirm the registrations in the Land and Rights Section with the modification, if and so far as this has not already been effected, that the area of the Register Unit land which is the subject of Objections Nos. X1451 and X1452 be excluded.

I am required by regulation 30 (1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated

11 July

1983

Commons Commissioner